

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TARIQ ECHOLS,

Plaintiff,

v.

UNITED STATES OF AMERICA,
ESSEX COUNTY SHERIFF'S OFFICE,
OFFICER ANTHONY PICCINNO, DET.
SERGIO TAVERES, SCGT.
CHRISTOPHER BOZIOS,

Defendants.

Civil Action No. 22-00206 (SDW)(JBC)

WHEREAS OPINION

November 1, 2022

THIS MATTER having come before this Court upon Plaintiff Tariq Echols' ("Plaintiff") Motion for Reconsideration (D.E. 35) of this Court's September 13, 2022 Whereas Opinion and Order dismissing Count One of Plaintiff's Complaint against Defendant United States of America ("Defendant") (D.E. 33, 34); and

WHEREAS a party moving for reconsideration must file its motion within fourteen (14) days "after the entry of the order or judgment on the original motion" and set "forth concisely the matter or controlling decisions which the party believes the . . . Judge has overlooked." L. Civ. R. 7.1(i). A motion for reconsideration is "an extremely limited procedural vehicle" which is to be granted "sparingly." *A.K. Stamping Co., Inc. v. Instrument Specialties Co., Inc.*, 106 F. Supp. 2d 627, 662 (D.N.J. 2000) (citations omitted); *Sch. Specialty, Inc. v. Ferrentino*, Civ. No. 14-4507, 2015 WL 4602995 at *2 (D.N.J. July 30, 2015) (citations omitted). Motions to reconsider are only proper where the moving party shows "(1) an intervening change in the controlling law; (2) the

availability of new evidence that was not available when the court [reached its original decision]; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.” *Max’s Seafood Café v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999). Mere disagreement with a court’s decision is not an appropriate basis upon which to bring a motion for reconsideration as such disagreement should “be raised through the appellate process.” *U.S. v. Compaction Sys. Corp.*, 88 F. Supp. 2d 339, 345 (D.N.J. 1999); and

WHEREAS Plaintiff’s Motion for Reconsideration must be denied because it fails to identify any intervening change in the relevant law, new evidence that was unavailable at the time this Court entered its order, or an error of fact or law that, if left uncorrected, would result in manifest injustice; therefore,

Plaintiff’s Motion for Reconsideration will be **DENIED**. An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: James B. Clark, III, U.S.M.J.
Parties